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ACTION MEMORANDUM

RELEASED IN FULL

TO: P - Mr. Habib
FROM: IO - Charles William Maynes
EA - Richard Holbrooke
L - Herbert J. Hansel
D/HA - Patricia M. Derian

UNGA Resolution on East Timor

ISSUE FOR DECISION

How to vote on this year's UNGA East Timor resolution.

ESSENTIAL FACTORS

The Revolutionary Front for an Independent East Timor, FRETILIN, has been circulating drafts in the UN of a resolution on the situation in East Timor.

The issue is now before the Fourth Committee, and a resolution will probably be put to a vote early next week, but possibly as early as Friday, November 4.

It appears that the text of the FRETILIN working paper at Tab A will be the resolution on which we will have to vote.

The resolution is marginally better than the one we voted against last December, in that it omits reference to Indonesia's military intervention and does not call on Indonesia to withdraw its forces from the territory. However, it endorses last year's resolution, which we voted against. It also reaffirms the right of the people of East

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Timor to self-determination, while rejecting the incorporation of East Timor into Indonesia. It requests a visiting mission to East Timor by a representative of the Secretary General and the Committee of 24.

Current estimates are that the vote on this year's resolution will not be much different from last year's (68-20(US)-49). However, recent reports indicate that several Arab states - notably Egypt and Saudi Arabia - will support Indonesia this year. All of the four other ASEAN states now support Indonesia. Australia has been under heavy pressure on this issue, but is resisting domestic opposition efforts to force a confrontation with Indonesia.

UN consideration of this item is unacceptable to Indonesia. The Indonesians take the position that East Timor's integration into Indonesia was in conformity with the UN Charter, that they asked in vain for the UN to send observers to witness what they say was self-determination, and that discussion of the matter in the UN under these circumstances constitutes unwarranted interference in their internal affairs (the US, however, regards discussion of issues such as self-determination and of human rights as entirely appropriate in the UN). Indonesia will expect us to vote against the resolution and would maintain that anything less would be inconsistent

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with our good bilateral relations and the qualified support they gave us on [the superficially comparable] Puerto Rico issue in the UN Decolonization Committee this year. Based upon conversations with US officials in Jakarta and at the UN during the past several weeks, Indonesia probably does not expect any change in the US position from last year.

On the other hand, a negative vote would generate criticism from Congressman Donald Fraser, who has taken a strong interest in East Timor and has asked that the Secretary give consideration to "joint sponsorship or support" of a resolution on East Timor such as FRETILIN supporters have distributed.

Fraser has little support on Timor in the HIRC, and other members of his own Subcommittee (i.e.: Derwinski, Goodling, and Meyner) have taken the position that the only realistic policy is to accept the status quo of East Timor and work for an improvement in the treatment of the population. Lester Wolff, presently one of the US delegates to the UNGA, told us on October 23 that he does not believe there is any Congressional pressure behind the East Timor issue, although there is concern that there be more progress on human rights matters.

In testimony before Fraser's Subcommittee, Department witnesses have taken the position that the US accepts Indonesia's incorporation of East Timor, but that we do not consider the people have exercised their right to

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self-determination. Our witness in July said " our position is that we recognize they [East Timorians] have a right to self-determination, and that it has not been exercised...we certainly hope it will be." We have told the Subcommittee that our vote on any resolution will be consonant with these two principles and with our desire to find practical means of improving the lot of the people of East Timor.

OPTIONS

1. Vote against a resolution similar to that which FRETILIN is circulating, although expressing in a voting statement our belief that there should be a compromise with FRETILIN and that more should be done for the local population of East Timor.

PROS

- - Is consistent with the position we took on last December's UNGA resolution and with our desire to maintain good relations with Indonesia.

- - Would be compatible with the positions of the other ASEAN members and with that of most Asian nations.

- - Should assure us of Indonesia's qualified support on the Puerto Rico issue again next year.

- - Would enable us to remove this irritant as we continue pressing the GOI for progress on human rights matters throughout Indonesia as well as in East Timor.

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CONS

- - Would open us to domestic and international criticism, particularly from Congressman FRaser, for subordinating our commitment to the principle of the right of self-determination to our interests in not irritating Indonesia.

- - Would be seen as placing us with Indonesia in denying the legitimacy of UN concern and responsibility in this matter.

- - Would probably foreclose the possibility of using UN fora in a constructive fashion on a serious human rights problem.

-2. Vote affirmatively on the pending or a similar resolution.

PROS

- - As a complete reversal of our last year's position, would dramatically underscore our human rights concerns.

- - Would conform to our position that the UN has a responsibility to deal with problems relating to human rights, including self-determination.

CONS

- - Would definitely harm our bilateral relations with what the President has indicated is one of the key emerging powers in the Third World and seriously undermine our ability to influence the GOI to make further

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progress on the issues of political prisoners and ICRC access to East Timor.

- - Would have no immediate practical effect on the situation in East Timor.

- - Would lose us Indonesia's qualified support on Puerto Rico.

3. Abstain , explaining our vote by repeating what we have said to Congress to the effect that we do not believe East Timor's right to self-determination has been exercised, but believe this particular resolution is not constructive.

PRO:

- - Would avoid grave offense to Indonesia while enabling us to distance ourselves from the Indonesian position and credibly maintain all elements of our own position.

CON:

- - Would still be seen by Indonesia as a major change in our position, and might reduce our ability to influence the GOI on human rights and ICRC access to East Timor.

RECOMMENDATIONS

That you approve Option 1 (oppose resolution). EA strongly supports.

APPROVE _____ DISAPPROVE _____

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ALTERNATELY, that you approve Option 2 (vote affirmatively). There is no support for this position.

APPROVE _____ DISAPPROVE _____

ALTERNATIVELY, that you approve OPTION 3 (abstention). IO, D/HA and L strongly support.

APPROVE _____ DISAPPROVE _____

IO/UNP: FJTatu (REDRAFT) 11/1/77 928114)

CLEARANCES:

IO/UNP: JPLorenz
IO/UNP: RLBarry
EA
L/EA
L/HR
D/HA
H- EASwift (draft)

CC:
S/P - Mr. Finn

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